

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KENNETH POSKIN, FINIAN POSKIN,)
his wife also known as POSKIN,)
)
Plaintiffs,)
)
vs.) Civil Action 06-463
)
TD BANKNORTH, N.A., formerly known as)
Banknorth, N.A., formerly known as Peoples)
Heritage Bank, N.A., and COASTAL)
FINANCIAL INC., t/d/b/a FIRST)
MANUFACTURED LOAN, RANDY R.)
McKINNEY, individually and in his capacity as)
an agent of Coastal Financial Inc.; DAVID M.)
DOHENY, individually and in his capacity as an)
agent of Coastal Financial Inc.; LINDA)
AMBROSE, individually and in her capacity as)
an agent of Coastal Financial Inc.; LEIGHTON)
COHEN, individually and in his capacity as)
agent of Coastal Financial Inc.; and ANTHONY)
SALAMONE, individually and in his capacity)
as agent and/or owner of Coastal Financial Inc.,)
)
Defendants.)

ORDER

AND NOW, this 11th day of September, 2009, upon consideration of the parties' arguments and supporting documents, **IT IS ORDERED** that the motion for summary judgment (Doc. No. 70) filed by defendant TD Banknorth, N.A. is **GRANTED IN PART AND DENIED IN PART**.

Summary judgment is **GRANTED** in favor of defendant TD Banknorth, N.A, and against Finian Poskin with respect to the claims set forth in count V, count VIII, and under 15 U.S.C. § 1679b(a)(1)(B)(ii) and § 1679 b(a)(2)(B)(ii) in count I. Summary judgment is

GRANTED in favor of defendant TD Banknorth, N.A. and against plaintiffs Kenneth Poskin and Finian Poskin with respect to the claims set forth in count II, count III, and count IX. The motion is **DENIED** in all other respects.

Judgment is entered in favor of defendant TD Banknorth, N.A. and against plaintiff Finian Poskin respect to the claims set forth in count V, count VIII, and under 15 U.S.C. § 1679b(a)(1)(B)(ii) and § 1679 b(a)(2)(B)(ii) in count I. Judgment is entered in favor of defendant TD Banknorth, N.A. and against plaintiffs Kenneth Poskin and Finian Poskin with respect to the claims set forth in count II, count III, and count IX.

By the court:

/s/ JOY FLOWERS CONTI
Joy Flowers Conti
United States District Judge